

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

STANDARD CHARTERED FINANCIAL
SERVICES (LUXEMBOURG) S.A. (f/k/a
AMERICAN EXPRESS FINANCIAL
SERVICES (LUXEMBOURG) S.A. and f/k/a
AMERICAN EXPRESS BANK
(LUXEMBOURG) S.A.), as represented by its
Liquidator HANSPETER KRÄMER,
HANSPETER KRÄMER, in his capacities as
liquidator and representative of STANDARD
CHARTERED FINANCIAL SERVICES
(LUXEMBOURG) S.A., STANDARD
CHARTERED BANK INTERNATIONAL

Bankruptcy Court Adv. Pro.
No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Bankruptcy Court
Adv. Pro. No. 12-01565 (CGM)

(AMERICAS) LTD., f/k/a AMERICAN EXPRESS BANK INTERNATIONAL, and STANDARD CHARTERED HOLDINGS INC. (as successor in interest to STANDARD CHARTERED INTERNATIONAL (USA) LTD., f/k/a AMERICAN EXPRESS BANK LTD.),

Defendants.

NOTICE OF APPEAL

Part 1: Identify the appellant(s)

1. **Name(s) of appellants:** Standard Chartered Financial Services (Luxembourg) S.A.; Standard Chartered Bank International (Americas) Ltd.; and Standard Chartered Holdings Inc. (as successor in interest to Standard Chartered International (USA) Ltd.).
2. **Position of appellant(s) in the adversary proceeding that is the subject of this appeal:** Defendants.

Part 2: Identify the subject of this appeal

1. **Describe the judgment, order, or decree appealed from:**
 - a. *Order Denying the SCB Defendants' Motion to Dismiss the Complaint* (ECF No. 173) (the "Order") (attached as Exhibit A). The Order was based on the *Memorandum Decision Denying Defendants' Motion to Dismiss* (ECF No. 168) (the "Decision") (attached as Exhibit B).
2. **State the date on which the judgment, order, or decree was entered:**
 - a. The Order was entered on January 18, 2023, and the Decision was entered on January 6, 2023.

Part 3: Identify the other parties to the appeal

1. List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys:

<u>Defendants-Appellants</u>	<u>Attorneys</u>
Standard Chartered Financial Services (Luxembourg) S.A.; Standard Chartered Bank International (Americas) Ltd.; and Standard Chartered Holdings Inc. (as successor in interest to Standard Chartered International (USA) Ltd.)	SULLIVAN & CROMWELL LLP Andrew J. Finn Mark A. Makar 125 Broad Street New York, New York 10004 (212) 558-4000 Diane L. McGimsey (<i>pro hac vice</i>) 1888 Century Park East Los Angeles, California 90067 (310) 712-6600
<u>Plaintiff-Appellee</u>	<u>Attorneys</u>
Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC	BAKER & HOSTETLER LLP David J. Sheehan Robertson D. Beckerlegge Eric R. Fish Michelle R. Usitalo Robyn M. Feldstein 45 Rockefeller Plaza New York, New York 10111 (212) 589-4200

Part 4: Optional election to have appeal heard by District Court

Not applicable in this District.

Part 5: Signature

Dated: February 1, 2023
New York, New York

Respectfully Submitted,

/s/ Andrew J. Finn

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Financial Services (Luxembourg)
S.A.; Standard Chartered Bank
International (Americas) Ltd.; and
Standard Chartered Holdings Inc. (as
successor in interest to Standard
Chartered International (USA) Ltd.)*